

**United States Department of the Interior
BUREAU OF LAND MANAGEMENT
National Human Resources Management Center
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EMS TRANSMISSION
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To: All BC, HR, NI, ST and WO Denver Employees

From: Director, National Human Resources Management Center

Subject: BLM Organic Act

This Information Bulletin serves as a reminder to employees of the BLM Organic Act, 43 USC §11 and to remind employees that this act applies to all BLM employees. The BLM Organic Act is in addition to the restrictions placed on all federal employees by 18 USC §208, "Acts affecting personal financial interest."

"The officers, clerks, and employees in the BLM, their spouse, or dependent children are prohibited from directly or indirectly purchasing or becoming interested in the purchase of any Public land; and any person who violates this section shall be removed from his/her office."

Direct interest in federal lands means that employees may not have any ownership in federal lands or any participation in the earnings from contracts, grants, leases, permits, easements, or applications. Employees may not have a membership or outside employment in a business that has interests in federal land. Additionally, employees may not have ownership of stock or other securities in corporations determined by the Department as having an interest in federal lands.

Indirect interest in federal lands means any ownership or part ownership of an interest in federal lands by an employee in the name of another (i.e., a spouse, dependant child, or general partner) where the employee still reaps some benefit from the interest. Indirect interest in federal lands are any holdings which are connected with or involved in the use of the resources or facilities of federal land, and are the substantial holdings of a spouse or dependent child in:

Land

- P Mineral rights, and
- P Grazing rights or livestock

The Department has established criteria that may help employees identify businesses in which they, their spouse, and/or their dependent children may not hold financial interest. That criteria includes businesses that have at or over:

- P 1,000 acres in geothermal
- P 25,000 acres in oil/gas
- P 5,000 acres in mining
- P 200 acres in timber or
- P \$50,000 right-of-way (ROW) rental fees.

BLM employees may retain a direct or indirect interest in federal lands when:

- P There is little or no relationship between the employee's function or duties
- P The particular interest in federal lands, and the employee, or the spouse or dependant child of the employee, acquired such an interest:
 - P By gift
 - P Devise
 - P Bequest
 - P Court award
 - P Settlement
 - P Prior to the time the employee entered on duty in the Department.

An employee, the employee's spouse, or dependent child may use federal lands open to the general public for recreational or other personal and noncommercial use.

An employee appointed to an advisory board or council, may acquire and retain a grazing license, issued permit, or any other interest in land or resources that is administered by the BLM provided that the employee does not participate in any advice or recommendation concerning the license or permit in areas where they are directly or indirectly involved in the performance of their duties.

BLM employees must sign a certificate of disclaimer upon entrance to their position with the Bureau, or upon transfer to a position within the Bureau. The employee's signature indicates that the employee:

- P Is aware of the specific restrictions pertinent to his or her employment
- P Is in compliance with such restrictions.

If an employee is unable to sign the certificate, he/she must submit a statement of facts to the appropriate ethics counselor for review and appropriate action.

If you have any questions regarding the BLM Organic Act, or need assistance in the determination of a financial interest, please contact Assistant Ethics Counselor, Teresa Milner, at 303-236-3569, or Teresa_Milner@blm.gov.

Signed
Linda D. Sedbrook
Director, NHRMC

Authenticated
Luron Porter
Staff Assistant

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